



December 5, 2016

Department of Transportation  
Division of Engineering Services  
Office Engineer  
P.O. Box 168041, MS-43  
Sacramento, CA 95816-8041

via facsimile: (916) 227-6282  
via-mail: john.mcmillan@dot.ca.gov

Attention: Mr. John C. McMillan, Deputy Division Chief

Reference: Caltrans Contract No. 08-C16304  
Bid Opening – December 1, 2016

Subject: Notice of Formal Bid Protest of Apparent Low and Second Low Bidders

Dear Mr. McMillan:

Pursuant to the Project Special Provisions, please consider this as Elecnor Belco Electric's formal written bid protest regarding the apparent low and second bidder for the above referenced project which was publicly bid and opened on December 1, 2016. We hereby submit our formal bid protest of High Light Electric, Inc. (Apparent Low Bidder) and Servitek Solutions, Inc. (Second Low Bidder) bid as non-responsive for the following irregularities/reasons:

1. High Light Electric, Inc. – Apparent Low Bidder

- On Bid Item No. 2 (Traffic Control System), High Light Electric, Inc. listed an amount of \$50,000.00 for the traffic control system. Based on the temporary traffic control and lane requirements in Division II (General Construction) of the project specifications, this work can only be performed by a Class "C-31" (Construction Zone Traffic Control) specialty contractor. High Light Electric, Inc. possess both a Class "A" and "C-10" licenses but neither license qualifies High Light Electric, Inc. to perform Caltrans specified traffic control work on major highways.
- Subcontracting listing requires a contractor to list each subcontractor to perform work in an amount in excess of ½ of 1 percent of the total bid or \$10,000.00 whichever is greater. Since the traffic control work was listed at \$50,000.00 for Bid Item No. 2 and exceeds the ½ of 1 percent (2% of total bid), High Light Electric, Inc. should have listed a Class "C-31" specialty contractor to perform this work. Since High Light Electric, Inc. did not list a qualified subcontractor to perform this portion of work, their bid should be deemed non-responsive. Allowing High Light Electric, Inc. to perform this work will be a contracting violation and allows for uncertified and unsafe traffic control.



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[www.elecnorbelco.com](http://www.elecnorbelco.com)

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2. Servitek Solutions, Inc. – Second Low Bidder

- On Bid Item No. 2 (Traffic Control System), Servitek Solutions, Inc. listed an amount of \$52,671.90 for the traffic control system. Based on the temporary traffic control and lane requirements in Division II (General Construction) of the project specifications, this work can only be performed by a Class "C-31" (Construction Zone Traffic Control) specialty contractor. Servitek Solutions, Inc. possess only a "C-10" license that does not qualify Servitek Solutions, Inc. to perform Caltrans specified traffic control work on major highways.
- On Bid Item Nos. 6-9 (Civil Work), Servitek Solutions, Inc. listed a total amount of \$100,930.26 for the civil portion of work. Based on this type of work and in the project specifications, this work can only be performed by a Class "A" (General Engineering) specialty contractor for asphalt paving and concrete work. Servitek Solutions, Inc. possess only a "C-10" license that does not qualify Servitek Solutions, Inc. to perform this portion of work.
- Subcontracting listing requires a contractor to list each subcontractor to perform work in an amount in excess of ½ of 1 percent of the total bid or \$10,000.00 whichever is greater. Since the traffic control work for Bid Item No. 2 was listed at \$52,671.90 exceeding ½ of 1 percent (2% of total bid), Servitek Solutions, Inc. should have listed a Class "C-31" specialty contractor. In addition, with a total amount of \$100,930.26 (3.9% of total bid) between Bid Item Nos. 6-9 for the civil portion of work, Servitek Solutions, Inc. should have listed a Class "A" specialty contractor. Since Servitek Solutions, Inc. did not list qualified subcontractors to perform both types of specialized work, their bid should be deemed non-responsive. Allowing Servitek Solutions, Inc. to perform both Class "A" and Class "C-31" work will be contracting violations resulting in unqualified work.

Based on the information provided, Elecnor Belco Electric respectfully requests that the Department of Transportation (Caltrans) reject the bids submitted by both High Light Electric, Inc. and Servitek Solution, Inc. as non-responsive for the irregularities in their bid documents and award this contract to the next lowest responsible bidder, Elecnor Belco Electric, Inc., since our firm met or exceeded the project specifications.

Should you have any questions or concerns, please do not hesitate to contact me at (909) 993-5470 ext. 254.

Sincerely,  
Elecnor Belco Electric, Inc.

A handwritten signature in black ink, appearing to read "John Wong".

John Wong  
Vice President



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ELEC NOR BELCO ELECTRIC, INC.  
4331 SCHAEFER AVENUE CHINO, CA 91710

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FACSIMILE TRANSMITTAL SHEET

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TO:	Mr. John McMillan	FAX NUMBER:	(916) 227-6282
COMPANY:	Department of Transportation (Caltrans)	DATE:	12/5/2016
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FROM:	John Wong	FAX NUMBER:	909-993-5476
RE:	Notice of Bid Protest Contract No. 08-1C6304	TOTAL NUMBER OF SHEETS INCLUDING COVER:	3

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☐ URGENT    ☒ FOR REVIEW    ☐ PLEASE COMMENT    ☐ PLEASE REPLY    ☐ PLEASE RECYCLE

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NOTES/COMMENTS:

Dear Mr. McMillan,

Attached please find our bid protest letter for Contract No. 08-C16304.

If you have any questions, please do not hesitate to call me at (909) 993-5470 ext. 254.

Thank you.

John Wong

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IF YOU DID NOT RECEIVE THE INDICATED PAGES, PLEASE CALL 909.993.5470 IMMEDIATELY.